

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
VIRGINIO A RIVERA COLON
CARMEN L RAMOS COSME

DEBTOR (S)

CASE NO. 11-05332-ESL

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED PLAN CONFIRMATION UNDER §1325**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1325**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Under Median / 36 months commitment period.** Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$72,078.00 R2016 STM. \$3,000.00**

TOTAL ATTORNEYS FEES THRU PLAN: \$2,905.00 Fees paid: \$0.00 Fees Outstanding: \$2,905.00
--

With respect to the proposed (amended) Plan dated: **June 24, 2011** (Dkt 2). Plan Base: **47,800.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Insufficiently Funded to pay what it proposes (or needs) to pay [§1325(a)(6)]
The plan is insufficiently funded to pay 100 + 4.25% as it proposes.
- Insufficiently Funded : Fails CREDITORS' BEST INTEREST TEST [§1325(a)(4)]
The bar date for unsecured creditors to file their claims elapses on November 03, 2011.
- Other/Comments
NONE.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same .

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this August 30, 2011.

/s/ Nannette Godreau -Staff Attorney

JOSE R. CARRION
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan, PR 00902-3884
Tel. (787) 977-3535 Fax (787) 977-3550